IAP12 Rec'd PCT/PTO 18 JUN 2007

|                       | FRAN        | SMITTAL L                |   | STATES DESIGNATED/ELECTED OFFICE                     | CUSTOMER NO. 22,852<br>ATTORNEY'S DOCKET NUMBER 09367.0158-00000 |
|-----------------------|-------------|--------------------------|---|--|--|
|                       |             | С                        | DO/EC)<br>ONCERNING A SUBMISSI                              |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)                  |
|                       |             |                          |   |  | 10/583,403   |
|                       |             | FIONAL APF<br>104/042762 | PLICATION NO.   | INTERNATIONAL FILING DATE<br>17 December 2004        | PRIORITY DATE CLAIMED 19 December 2003                           |
|                       |             | INVENTION<br>NDS, COMF   | I<br>POSITIONS AND METHOD                                   | s  |  |
|                       |             | IT(S) FOR I              |   | n David KNIGHT, David J. MORGANS, Jr.                |  |
| <u> </u>              |             |                          |   | s Designated/Elected Office (DO/EO/US) the follo     | wing items and other information:                                |
| 1.                    |             | This is a F              | IRST submission of items of                                 | oncerning a filing under 35 U.S.C 371.               |  |
| 2.                    | —<br>⊠      | This is a S              | ECOND or SUBSEQUENT   | submission of items concerning a submission un-      | der 35 U.S.C. 371.   |
| 3.                    |             |                          |   | ntional examination procedures (35 U.S.C. 371(f))    | . The submission must include items                              |
| 4.                    |             |                          | ) and (21) indicated below.<br>s been elected (Article 31). |  |  |
| <del>-1</del> .<br>5. |             |                          |   | as filed (35 U.S.C. 371 (c)(2)).                     |  |
| <b>J</b> .            | _           | a. 🗆                     |   | d only if not communicated by the International B    | ureau).  |
|                       |             | b. 🗆                     | has been communicated b                                     |  | ,  |
|                       |             | c. 🗆                     |   | lication was filed with the United States Receiving  | Office (RO/US).  |
| 6.                    |             |                          |   | International Application as filed (35 U.S.C. 371)   |  |
|                       | _           | a. 🗆                     | is attached hereto.   |  |  |
|                       |             | b. 🗆                     | has been previously submi                                   | itted under 35 U.S.C. 154(d)(4).                     |  |
| 7.                    |             | Amendmer                 | nts to the claims of the Inter                              | national Application under PCT Article 19 (35 U.S    | S.C. 371 (c)(3)).  |
|                       |             | а. 🗆                     | are attached hereto (requir                                 | red only if not communicated by the International    | Bureau).   |
|                       |             | b. 🗆                     | have been communicated                                      | by the International Bureau.                         |  |
|                       |             | c. 🗆                     | have not been made; howe                                    | ever, the time limit for making such amendments      | has NOT expired.   |
|                       |             | d. 🗆                     | have not been made and v                                    | will not be made.                                    |  |
| 8.                    |             | An English               | language translation of the                                 | amendments to the claims under PCT Article 19        | (35 U.S.C. 371 (e)(3)).  |
| 9.                    | $\boxtimes$ | An oath or               | declaration of the inventor(                                | s) (35 U.S.C. 371 (c)(4)).                           |  |
| 10.                   |             |                          | language translation of the 35 U.S.C. 371 (c)(5)).          | annexes of the International Preliminary Examina     | ation Report under PCT   |
| Item                  | s 11 t      | o 20 below               | concern document(s) or i                                    | information included:                                |  |
| 11.                   |             | Information              | n Disclosure Statement und                                  | er 37 CFR 1.97 and 1.98 (2 pages)                    |  |
| 12.                   |             |                          |   | g. A separate cover sheet in compliance with 37      | CFR 3.28 and 3.31 is included.                                   |
| 13.                   |             | A prelimina              | ary amendment.  |  |  |
| 14.                   |             | An Applica               | tion Data Sheet under 37 C                                  | FR 1.76.   |  |
| 15.                   |             | A Substitut              | te specification.   |  |  |
| 16.                   |             | A power of               | attorney and/or change of                                   | address letter.                                      |  |
| 17.                   |             | A compute                | r-readable form of the sequ                                 | ence listing in accordance with PCT Rule 13ter.2     | and 35 U.S.C. 1.821-1.825.                                       |
| 18.                   |             | A second of              | copy of the published Intern                                | ational Application under 35 U.S.C. 154 (d)(4).      |  |
| 19.                   |             | A second of              | copy of the English languag                                 | e translation of the international application 35 U. | S.C. 154 (d)(4).   |
| 20.                   | ☒           | Other item               | s or information:   |  |  |
|                       |             | a. 🛭 b. 🔄 c. 📄 d. 🖂 e. 📄 | Copy of Notification of Mis<br>Supplemental Amendmen        |  | Inited States Designated/Elected Office (DO/EO/US) (2 pgs)       |
|                       |             | g. 🗆                     |   |  |  |

| U.S. APPLICATION NO. (if know 10/583,403   |  | INTERNATIONAL APPLICAT<br>PCT/US2004/042762 | TION NO.                               |                              | ATTY DOCKET N<br>09367.0158-0000 |                 |
|--|--|---|--|------------------------------|----------------------------------|-----------------|
| The following fees t   | have been submitted:   | •   |  |                              | CALCULATIONS                     | PTO Use<br>Only |
| 21. BASIC NATIONAL   | FEE (37 CFR 1.492(a)):   | ••••••••••••                                | \$300.00                               |                              | \$                               | ,               |
| 22. Examination fee (37)   | CFR 1.492(c))  |   |  |                              |                                  |                 |
| If the Written opinion prepared b  | by ISA/US or the International p   | reliminary examination repor                | t prepared                             |                              | ;                                |                 |
| by IPEA/US indicates all d   | claims satisfy provisions of PC  |   |  |                              | \$                               |                 |
| 23. Search fee (37 CFR   |  |   |  |                              |                                  |                 |
|  | ims satisfy provisions of PCT A  | rticle 33(1)-(4)                            | \$0                                    |                              |                                  | ļ               |
| International Searching A  | earch fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority |   |  |                              |                                  |                 |
| International Search Report prepreviously communicated                                 |  |   |  |                              |                                  |                 |
| All other situations   | previously communicated to the US by the IB  |   |  |                              |                                  | ļ               |
| Additional for for an addition   | TOTAL of 21  |   |  |                              | \$                               |                 |
| listing in compliance  | ion and drawings filed in paper<br>e with 37 CFR 1.821(c) or (e) o   | r computer program listing in               | sequence<br>an                         |                              |                                  |                 |
| electronic medium)<br>The fee is \$250 for   | (37 CFR 1.492(j)).<br>each additional 50 sheets of pa  | aper or fraction thereof.                   |  |                              |                                  | 1               |
| Total Sheets   | Extra Sheets   | Number of each additional                   |  | Rate                         |                                  |                 |
| - 100 =  | /50=   | thereof (round up to a who                  | e number)                              | x \$250.00                   | s                                |                 |
| Surcharge of \$130.00 for furnish  | ning any of the search fee, exar   | mination fee, or the oath or de             | eclaration after the da                |                              | \$130.00                         |                 |
| commencement of the national s   | stage (37 CFR 1.492(h)).   |   |  |                              |                                  |                 |
| CLAIMS Total Claims  | NUMBER FILED   | NUMBER EXTRA 0                              | RATE                                   |                              | ¢                                | <u> </u>        |
| Total Claims Independent Claims  | - 20 =<br>-3 =   |   | x \$50.0<br>x \$200.0                  |                              | \$                               | <u> </u>        |
| MULTIPLE DEPENDENT CLAIM   |  |   | +\$360.0                               |                              | \$                               |                 |
|  |  | TOTA  | L OF ABOVE CALC                        | ULATIONS =                   | \$                               |                 |
| Applicant claims small entity  | status. See 37 CFR 1.27. Fee   | es above are reduced by 1/2                 |  |                              | \$                               |                 |
|  |  | ,,,,,                                       |  | SUBTOTAL =                   | \$130.00                         |                 |
| Processing fee of \$130.00 for fu  | rnishing the English translation   | later than 30 months from th                |  |                              | \$                               | <del> </del>    |
| 1.492(i)).   | Thomas to English translation  | Tatel than 50 months from th                |  | +                            |                                  |                 |
|  |  |   | TOTAL NATI                             | ONAL FEE =                   | \$130.00                         |                 |
| Fee for recording the enclosed a cover sheet (37 CFR 3.28, 3.31)                       |  | The assignment must be acc                  | companied by an app                    | ropriate<br>+                | \$                               |                 |
| 1/2007 MKAYPAGH 00000149   | 060916 10583403  |   | TOTAL FEES E                           | NCLOSED =                    | \$130.00                         |                 |
| C:1617 130.00 DA   |  |   |  |                              | Amount to be                     | \$              |
|  |  |   |  |                              | refunded:<br>charged:            | \$              |
| a. A check in the amount   | of \$ to cover the abo   | ove fees is enclosed.                       |  |                              | o.nagod.                         |                 |
|  | posit Account No. <u>06-0916</u> in th   | e amount of \$ 1 <u>30.00</u> to cove       | er the above fees.                     |                              |                                  |                 |
| A duplicate copy of this   | s sheet is enclosed.   |   |  |                              |                                  |                 |
|  | nereby authorized to charge an<br>ate copy of this sheet is enclose  |   | be required, or credit                 | any overpaym                 | ent to Deposit Acco              | unt             |
| d. Fees are to be charged  | d to a credit card. WARNING:   | Information on this form may                | become public. Cre                     | dit card infor               | mation should not l              | oe include      |
| NOTE: Where an appropriate   | time limit under 37 CFR 1.49   | 5 has not been met, a petiti                | ion to revive (37 CF                   | R 1.137(a) or (              | (b)) must be filed a             | nd granted      |
| SEND ALL CORRESPONDEN  | tional Application to pending  | , s.a.us.<br>/                              | , ,                                    |                              |                                  |                 |
|  |  | \ /omb<                                     | < 1. 1/1/2                             | $n_1$                        |                                  |                 |
| Finnegan, Henderson, Farabov<br>901 New York Avenue, N.W.<br>Washington, DC 20001-4413 | w, Garrett & Dunner, L.L.P.  | <u> </u>                                    | SIGNATURE                              |                              |                                  |                 |
| DATED: June 18, 2007   |  |   |  |                              |                                  |                 |
| ·  |  | James                                       | J. Wong Reg. No. 3                     | 34,949                       |                                  |                 |
|  |  |   | J. Wong Reg. No. 3<br>E/REGISTRATION N |                              |                                  |                 |
|  | CERTIFICATE UP   | NAMI  | E/REGISTRATION N                       | IUMBER                       |                                  |                 |
|  | 943277820 US   |   | E/REGISTRATION N                       | UMBER<br>June 18, 2007       |                                  |                 |
| USPS Expre I hereby certify that this corresponden                                     | 943277820 US<br>ess Mail Label Number<br>ace is being deposited with the Unite   | NAMI  | E/REGISTRATION N G BY "EXPRESS MAIL"   | June 18, 2007 Date of Deposi | t                                | the date        |
| USPS Expre   | 943277820 US<br>ess Mail Label Number<br>ace is being deposited with the Unite   | NAMI  | E/REGISTRATION N G BY "EXPRESS MAIL"   | June 18, 2007 Date of Deposi | t                                | the date        |
| USPS Expre<br>I hereby certify that this corresponden                                  | 943277820 US<br>ess Mail Label Number<br>ace is being deposited with the Unite   | NAMI  | E/REGISTRATION N G BY "EXPRESS MAIL"   | June 18, 2007 Date of Deposi | t                                | the date        |



#### United States Patent and Trademark Office

09367.0158-00000

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Dox 1450 Alexandria, Viginia 22313-1450

|   |                       |                  | · ·               |  |  |
|---|-----------------------|------------------|-------------------|--|--|
| U.S. APPLICATION NUMBER NO.             | FIRST NAMED APPLICANT | 110              | ATTY. DOCKET NO.  |  |  |
| 10/583,403                              | Cynthia A. Parrish    |                  | PU60635           |  |  |
|   |                       | INTERNATIONA     | L APPLICATION NO. |  |  |
| 20462                                   |                       | PCT/US04/42762   |                   |  |  |
| 20462<br>SMITHKLINE BEECHAM CORPORATION |                       | I.A. FILING DATE | PRIORITY DATE     |  |  |
| CORPORATE INTELLECTION CORPORATION      |                       | 12/17/2004       | 12/19/2003        |  |  |

CORPORATE INTELLECTUAL PROPERTY-US, UW2220 P. O. BOX 1539 KING OF PRUSSIA, PA 19406-0939

**CONFIRMATION NO. 2491 371 FORMALITIES LETTER** \*OC00000023417785\*

Date Mailed: 04/18/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/16/2006
- Copy of the International Search Report filed on 06/16/2006
- Preliminary Amendments filed on 06/16/2006
- Information Disclosure Statements filed on 06/16/2006
- Request for Immediate Examination filed on 06/16/2006
- U.S. Basic National Fees filed on 06/16/2006
- Assignment filed on 09/14/2006
- Priority Documents filed on 06/16/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity.

• \$130 Surcharge.

# ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. <a href="https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html">https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html</a>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

#### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY, DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/583,403                  | PCT/US04/42762                | PU60635          |

FORM PCT/DO/EO/905 (371 Formalities Notice)